



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF APPEALS**

AF/Ifw

Applicant(s): Müller et al.
Serial No.: 10/601,325
Filed: 20 June 2003
For: HOLDING CLIP FOR FIXING THE POSITION OF GETTERS
Examiner: Jame R. Brittain
Art Unit: 3677
Confirmation No.: 9677
Customer No.: 27623 Attorney Docket: 608.0023USU

Mail Stop Appeal Brief-Patents
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

We are enclosing for filing in the above-identified application the following:

1. Appellant's Supplement to the Appeal Brief (*in triplicate*);
2. Transmittal letter in duplicate; and
3. Postcard.

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. **01-0467** in the name of Ohlandt, Greeley, Ruggiero & Perle. A duplicate copy of this sheet is attached.

Respectfully submitted,

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV803119519US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 28, 2006.

Suzanne Lombardo
(Typed name of person mailing paper)

(Signature of person mailing paper)



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Serial No.: 10/601,325
For: HOLDING CLIP FOR FIXING THE POSITION OF
GETTERS
Filed: June 20, 2003
Examiner: James R. Brittain
Art Unit: 3677
Confirmation No.: 6977
Customer No.: 27,623

Attorney Docket No.: 608.0023USU

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

SUPPLEMENT TO THE APPEAL BRIEF FILED UNDER 35 U.S.C. §134

Dear Sir:

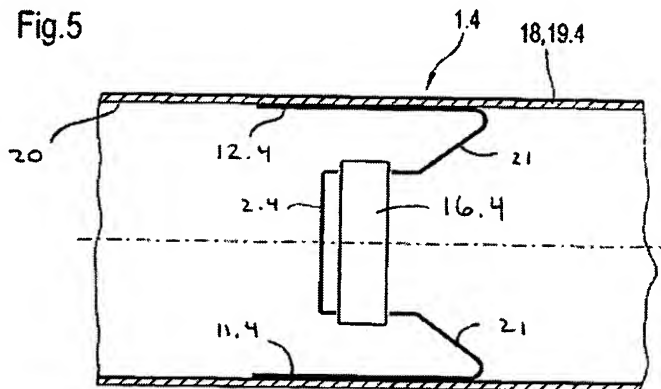
Further to the Notice of Non-Compliant Appeal Brief dated March 28, 2006 and in compliance with the requirements set forth in the Manual of Patent Examining Practice §1205.03 (B), Appelants submit herewith a paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v). This paper is supplemental to the Appeal Brief filed on February 8, 2006.

(5) Summary of claimed subject matter

The claimed invention relates to a holding clip (1.4) for fixing the position of a getter (16.4) in a container (18, 19.4) and includes one independent claim, namely claim 1.

Independent claim 1 is generic to the elected Species of Figures 4-6, as well as the non-elected Species of Figures 1-3.

For the convenience of the Board, Figure 5 of the elected Species is reproduced below and is marked to include all reference numbers used in this Summary of the claimed subject matter.



The claimed invention as set forth in independent claim 1 advantageously provides a holding clip (1.4) that simply and easily fixes the position of the getter (16.4) with respect to the holding clip and fixes the getter in the container (18, 19.4). The claimed holding clip (1.4) is characterized by ease of mounting and handling, as well as minimizing the effort in construction and production for such a holding clip. See page 2, lines 11-17.

The claimed holding clip (1.4) fixes the position of a getter (16.4) in an inner surface of a container (18, 19.4). The claimed holding clip (1.4) includes a first section

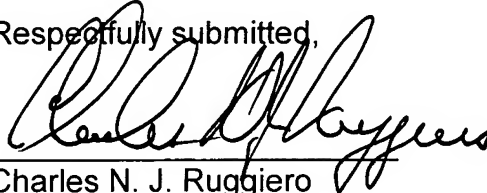
(2.4) for supporting the getter (16.4), a second section (11.4, 12.4) for supporting the first section (2.4) in the inner surface (20) of the container, and a flexurally rigid connection (21) connecting the first and second sections. The flexurally rigid connection (21) and the first and second sections (2.4, 11.4, 12.4) are elastically deformable to brace the getter (16.4) in the first section (2.4) and to brace the second section (11.4, 12.4) in the inner surface (20). See page 8, lines 3-9 and page 12, line 17 to page 13, line 9.

Summary

In view of the above supplement to the Appeal Brief, Appellants respectfully request that the Board of Appeals reverse the final rejections of claims 1 through 7 and 11 through 13, and rejoin withdrawn claims 9 and 10, thereby enabling all of the pending claims to be allowed.

April 27, 2006

Respectfully submitted,



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